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Testimony regarding House Bill 4163

Mr. Chairman and House Education Committee members, thank you for the opportunity to offer testimony on House Bill 4163. Equality Michigan is opposed to the bill in its current form.

Equality Michigan is appreciative of the initiative that the bill sponsor has taken with the introduction of House Bill 4163. We have all been reluctant witnesses to the rash of suicides nationwide as a result of bullying. Michigan has no time to waste in addressing the crisis of bullying in our schools. However, in light of the gravity of the situation we also have no excuse for NOT passing the best and most comprehensive solution to this devastating problem – the first time. We are disappointed to have to oppose House Bill 4163 today but feel that changes can be made to the bill to strengthen it to become the powerful tool it is intended to be. Our kids need to be assured that their second home, their school, is conducive to learning and is accepting of who they are. This is about making sure all young people are safe from bullying and harassment at school, whether because of sexual orientation, gender identity, race, ethnicity or religion.

Research has shown that adding protected categories, what we refer to as enumeration, to anti-bullying laws is critical to ensure that all students are protected from bullying and harassment. Compared to school districts without protected categories, students who attend schools with policies that enumerate categories report less bullying and harassment.

Students reported that teachers were significantly more likely to intervene always or most of the time in states with enumerated policies, as compared to states with either non-enumerated policies or no policies at all.

A version of House Bill 4163 with a list of protected categories added would protect all students leaving no student behind. A bill that lists the specific categories merely calls on educators to look out for bullying based on bias in addition to traditional bullying. Bullying based on bias is a different animal and requires a careful approach. The vast majority of bullying that is reported today is based on bias, and that is to say that immutable characteristics, the unchangeable characteristics that make our children the unique individuals we know and love, are attacked when students are bullied. When bias bullying happens it must be recognized because it results from a lack of knowledge and as such signals the need for the school to evaluate ways they can educate its students on the many different Michiganders that help their community thrive. Bias bullying also requires that schools consider whether the bullied student, attacked for just being who

they are, may need additional support to ensure that their faith in themselves and others is reaffirmed, allowing them to grow to be the powerful adults they can be.

45 Other states already have bullying laws on the books. Nobody in this room wants to be perceived as caring any less about the next generation than the rest of the nation. Oregon passed an anti-bullying law less than 10 years ago that did not list protected categories. In 2009 a study was done to measure the law's affect on bullying in Oregon schools. While general bullying decreased, bullying based on bias – the leading form of bullying – did not benefit from the non-enumerated law with bullying based on race still occurring at alarming rates. Oregon promptly took responsibility for the safety of its students and amended the law to include protected categories.

In Governor Snyder's Education Reform Message he called for the state to pass comprehensive anti-bullying legislation noting that, "Studies have long shown that it leads to low self-esteem, depression, poor academic achievement, truancy, and even suicide. School is not a house of learning for a bullying victim; it is a house of pain. A bullied student is not only being tormented; he or she is being denied an equal opportunity to a quality education."

The Governor also points out that the "State Board of Education already has developed a model policy that every district can look to as they develop their own." The State Board policy he references is indeed a strong policy. It has teeth. It has enumeration. It acknowledges the challenges to learning that our students face and addresses them responsibly. House Bill 4163 falls short of the kind of policy Gov. Snyder calls for.

The House Education Committee can still add language to make this bill most effective. Michigan can do this right by ensuring that this public policy created for our kids is of the highest quality, and Michigan can do this right the first time.